

Tuesday, April 10, 2012

To Federal Communications Commission.

Leadership

The Honorable Julius Genachowski Chairman

The Honorable Mignon Clyburn Commissioner

The Honorable Robert M. McDowell Commissioner

The Honorable Mark Loyd Diversity Officer

Deputy Division Chief at Federal Communications Commission

Peter Doyle

To United States Congress

The Committee on Energy and Commerce

The Honorable Fred Upton (MI), Chairman

The Honorable Henry Waxman (CA), Ranking Member

Substantive Due Process ? Fundamental Rights.

Due Process Clause:

The Fourteenth Amendment reads, in part, that no Federal Government and state shall ?deprive any person of life, liberty, or property, without due process of law.? This applies to the Federal Government and states and to local governments. The Due Process Clause of the Fifth Amendment applies to the federal government. Most Due Process issues involve Federal and state laws.

Substantive Due Process issues involve the Government's power to regulate certain activities.

Procedural Due Process issues involve an analysis of the procedure required by the Constitution when The Federal Government seek to deprive people of life, liberty or property.,

"A RADIO STATION"

Substantive Law supercedes illegal FCC AUCTIONS.

THEY ARE BIAS AND PREJUDICE.

Discrimination, unequal treatment, opportunity civil rights, to

operate a full power station.

Statutory or written law that governs the rights and obligations of everyone within its jurisdiction. It defines civil rights and responsibilities.

The FCC auctions, public sale, on RADIO frequencies ARE ILLEGAL.

All licensed radio frequencies issued beginning in 1994 till present are (VOID, MOOT, AND FRIVOLOUS.

UNDER LAW GIVE ME JOSEPH D'ALESSANDRO ONE OF THOSE FREQUENCIES.

The Federal Communications Commission CAN NOT SELL THE PUBLIC AIRWAYS.

According to, The United States Constitution.

Auctions are illegal. Bcause they discriminate.

THEY ARE BIAS AND PREJUDICE. IF YOU DO NOT HAVE THOUSANDS OF DOLLARS YOUR SCREWED. The airways belong to The Citizens of The United States, Not Radio Conglomerates, or United States Congress =The FCC. This whole FCC system and US Congress = (United States Government}, needs to be challenged, in Federal Court, A Jury Trial, under The Seventh Amendment.

ILLEGAL:

Spectrum auctions. You can not sell the Citizens Public Airways.

ALL FM LICENSE'S ISSUED SINCE 1994 ARE VOID, MOOT, AND FRIVOLOUS.

Beginning in 1994, commercial spectrum has been allocated via competitive auctions rather than the previous method of "best public use." competitors attempted to show that they were most capable of making best public use of the license they wished to obtain.

The structure and licenses available in each auction are determined by vote of the Commission, with the licenses awarded to the highest bidders. Auctions are usually conducted on a simultaneous multiple-round basis, with all offered licenses being auctioned at the same time. Auctions proceed in bidding rounds of decreasing duration until no more bids are received. Revenues are deposited in the US Treasury to be spent by Congress.

The FCC has been criticized for awarding a digital TV channel to each holder of an analog TV station license without an auction, as well as trading auctionable spectrum to Nextel to resolve public safety interference problems.

FREQUENCES ARE FREE. this is law not rules.

SEC. 307.

(b) Allocation of facilities

In considering applications for licenses, and modifications and renewals thereof, when and insofar as there is demand for the same, the Commission shall make such distribution of licenses, frequencies, hours of operation, and of power among the several States and communities as to provide a fair, efficient, and equitable distribution of radio service to each of the same.

It is hereby declared that the people of all the zones established by this title are entitled to equality of radio broadcasting service, both of transmission and of reception, and in order to provide said equality the Commission shall as nearly as possible make and maintain an equal allocation of broadcasting licenses, of bands of frequency, of periods of time for operation, and of station power, to each of said zones when and insofar as there are applications therefor; and shall make a fair and equitable allocation of licenses, frequencies, time for operation, and station power to each of the States and the District of Columbia, within each zone, according to population.

USE OF MINIMUM POWER {Not 50 thousand watts} Max. 6000 Watts.

SEC. 307. (a) The Commission, if public convenience, interest not Several States a community of license.

All these full power stations are illegal they are void, moot, and frivolous.

And LPFM radio is not subjected to 100 watts but power necessary to carry out the communication desired, with out interfearence to other stations.

Could be 100, 300, 500, watts. Minimum Amount of Power

SEC. 324. In all circumstances, except in case of radio communications or signals relating to vessels in distress, AND/OR all radio stations, including those owned and operated by the United States, shall use the minimum amount of power necessary to carry out the communication desired. A City or Community. NOT 5 STATES.

Joseph D'Alessandro

WRBG FM